

EXHIBIT “A”

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- ☐ Information about additional plaintiffs who are not competent adults is shown in Attachment 3.

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4. ☐ Plaintiff (name):
is doing business under the fictitious name (specify):

and has complied with the fictitious business name laws.
5. Each defendant named above is a natural person
- a. ☒ except defendant (name): **SF Markets, LLC**
 (1) ☐ a business organization, form unknown
 (2) ☐ a corporation
 (3) ☐ an unincorporated entity (describe):
 (4) ☐ a public entity (describe):
 (5) ☒ other (specify):
Limited Liability Company
- c. ☐ except defendant (name):
 (1) ☐ a business organization, form unknown
 (2) ☐ a corporation
 (3) ☐ an unincorporated entity (describe):
 (4) ☐ a public entity (describe):
 (5) ☐ other (specify):
- b. ☒ except defendant (name): **Sprouts Farmers Markets, LLC**
 (1) ☐ a business organization, form unknown
 (2) ☐ a corporation
 (3) ☐ an unincorporated entity (describe):
 (4) ☐ a public entity (describe):
 (5) ☒ other (specify):
Limited Liability Company
- d. ☐ except defendant (name):
 (1) ☐ a business organization, form unknown
 (2) ☐ a corporation
 (3) ☐ an unincorporated entity (describe):
 (4) ☐ a public entity (describe):
 (5) ☐ other (specify):
- ☐ Information about additional defendants who are not natural persons is contained in Attachment 5.
6. The true names of defendants sued as Does are unknown to plaintiff.
- a. ☒ Doe defendants (specify Doe numbers): **1-25** were the agents or employees of other named defendants and acted within the scope of that agency or employment.
- b. ☒ Doe defendants (specify Doe numbers): **26-50** are persons whose capacities are unknown to plaintiff.
7. ☐ Defendants who are joined under Code of Civil Procedure section 382 are (names):
8. This court is the proper court because
- a. ☐ at least one defendant now resides in its jurisdictional area.
- b. ☐ the principal place of business of a defendant corporation or unincorporated association is in its jurisdictional area.
- c. ☒ injury to person or damage to personal property occurred in its jurisdictional area.
- d. ☐ other (specify):
9. ☐ Plaintiff is required to comply with a claims statute, and
- a. ☐ has complied with applicable claims statutes, or
- b. ☐ is excused from complying because (specify):

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10. The following causes of action are attached and the statements above apply to each (*each complaint must have one or more causes of action attached*):

- a. ☐ Motor Vehicle
- b. ☐ General Negligence
- c. ☐ Intentional Tort
- d. ☐ Products Liability
- e. ☒ Premises Liability
- f. ☐ Other (*specify*):

11. Plaintiff has suffered

- a. ☒ wage loss
- b. ☐ loss of use of property
- c. ☒ hospital and medical expenses
- d. ☒ general damage
- e. ☐ property damage
- f. ☒ loss of earning capacity
- g. ☒ other damage (*specify*):

Loss of Enjoyment of Life; Pain and Suffering; Loss of Consortium

12. ☐ The damages claimed for wrongful death and the relationships of plaintiff to the deceased are

- a. ☐ listed in Attachment 12.
- b. ☐ as follows:

13. The relief sought in this complaint is within the jurisdiction of this court.

14. Plaintiff prays for judgment for costs of suit; for such relief as is fair, just, and equitable; and for

- a. (1) ☒ compensatory damages
- (2) ☐ punitive damages

The amount of damages is (*in cases for personal injury or wrongful death, you must check (1)*):

- (1) ☒ according to proof
- (2) ☐ in the amount of: \$

15. ☐ The paragraphs of this complaint alleged on information and belief are as follows (*specify paragraph numbers*):

Date: 09/30/2020

Jamie V. Retmier

(TYPE OR PRINT NAME)

Jamie V. Retmier

(SIGNATURE OF PLAINTIFF OR ATTORNEY)

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CAUSE OF ACTION—Premises Liability

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(number)

ATTACHMENT TO ☒ Complaint ☐ Cross - Complaint

(Use a separate cause of action form for each cause of action.)

Prem.L-1. Plaintiff (name): Meera Garg and Subhashish Garg

alleges the acts of defendants were the legal (proximate) cause of damages to plaintiff.

On (date): January 17, 2019

plaintiff was injured on the following premises in the following

fashion (description of premises and circumstances of injury):

Plaintiff slipped and fell at Sprouts Farmers Market located at 3900 Mowry Ave, Fremont, CA 94538.

Prem.L-2. ☒ **Count One—Negligence** The defendants who negligently owned, maintained, managed and operated the described premises were (names):
SF Markets, LLC and Sprouts Farmers Markets, LLC

☒ Does 1 to 10

Prem.L-3. ☒ **Count Two—Willful Failure to Warn** [Civil Code section 846] The defendant owners who willfully or maliciously failed to guard or warn against a dangerous condition, use, structure, or activity were (names):
SF Markets, LLC and Sprouts Farmers Markets, LLC

☒ Does 11 to 20Plaintiff, a recreational user, was ☐ an invited guest ☒ a paying guest.

Prem.L-4. ☒ **Count Three—Dangerous Condition of Public Property** The defendants who owned public property on which a dangerous condition existed were (names):
SF Markets, LLC and Sprouts Farmers Markets, LLC

☒ Does 21 to 30

- a. ☒ The defendant public entity had ☒ actual ☒ constructive notice of the existence of the dangerous condition in sufficient time prior to the injury to have corrected it.
- b. ☒ The condition was created by employees of the defendant public entity.

Prem.L-5. a. ☒ **Allegations about Other Defendants** The defendants who were the agents and employees of the other defendants and acted within the scope of the agency were (names):

☒ Does 31 to 40

- b. ☒ The defendants who are liable to plaintiffs for other reasons and the reasons for their liability are ☐ described in attachment Prem.L-5.b ☒ as follows (names):
Does 41 - 50

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ATTACHMENT (Number): One

(This Attachment may be used with any Judicial Council form.)

Count Two - Loss of Consortium (Plaintiff Subhashish Garg Against All Defendants)

Defendants are liable to Plaintiff Meera Garg's husband, Subhashish Garg, for loss of consortium. In order to prevail in a claim for loss of consortium, a Plaintiff must show (1) a valid and lawful marriage between plaintiff and the person injured at the time of injury; (2) a tortious injury to the plaintiff's spouse; (3) loss of consortium suffered by the plaintiff; and (4) the loss was proximately caused by the defendant's acts. Vanhooser v. Superior Court (2012) 206 Cal.App.4th 921.

The concept of loss of consortium includes the loss of love, companionship, comfort, care, assistance, protection, affection, society, moral support and the loss of enjoyment of sexual relations. Ledger v. Tippit (1985) 164 Cal.App.3d 625.

Here, all of the elements of this claim have been satisfied. (1) Mr. and Mrs. Garg were lawfully married at the time she was injured, (2) Mrs. Garg's injuries are the result of Defendant's negligence, and (3) There is no question Mr. Garg has suffered the loss of love, companionship, comfort, care, assistance, protection, affection, society, moral support and the loss of enjoyment of sexual relations. This was all caused by Defendant's breach of their duty of care to Mrs. Garg.

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

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(Add pages as required)